

Washington, D.C. - Congresswoman Melissa Bean (IL-08) joined House Transportation Committee Chairman James Oberstar (MN-08) to propose legislation that would - for the first time - require the Surface Transportation Board to consider the effects of rail expansion on local communities and taxpayers as part of its core mission.

Bean, along with Congresswoman Judy Biggert (IL-13), Congressman Bill Foster (IL-14) Congressman Don Manzullo (IL-16), Congressman Peter Roskam (IL-06), and Congressman Peter Visclosky (IN-01) joined Oberstar as original cosponsors of the bill as part of their fight against Canadian National Railway's proposed purchase of the EJ&E rail line. Other members from across the nation joined on as cosponsors as well.

"While the STB's draft EIS validates many of the safety, quality of life and economic hazards of this proposed transaction, they are not currently mandated to consider those very factors when they make their approval or mitigation decision" Bean said. "This legislation will require them to do just that, and our constituents and communities deserve no less."

Chairman Oberstar plans hearings and a markup on the bill when Congress returns from recess in September.

The Surface Transportation Board (STB), a three-member panel appointed by President Bush, currently holds oversight over any proposed merger or transfer of control of any two major railroads. By law, approval of a sale or transaction is limited mainly to anti-competitive and worker safety concerns. STB's review of environmental impacts of the Canadian National proposal is mandated by separate environmental laws, but is not part of the STB's core mission.

The Taking Responsible Action for Community Safety (TRACS) Act, H.R. 6707, would give the board authority over any transaction involving at least one major (Class 1) railroad and would add a critical requirement for the STB to consider "the safety and environmental effects of the proposed transaction, including the effects on local communities, such as public safety, grade crossing safety, hazardous materials transportation safety, emergency response time, noise, and socioeconomic impacts; and the effect of the proposed transaction on intercity rail passenger transportation and commuter rail passenger transportation."

If the adverse effects communities affected outweigh the proposed benefits to commerce and competitiveness, the STB would be required to mitigate or reject the transaction.

“The current process puts the interests of industry over those of American families and taxpayers,” Bean said. “This legislation provides balance and better reflects American values by protecting the rights of our constituents and communities.”

Congressman Foster said: “I am proud to say this bill is the result of bipartisan cooperation, negotiated by members from both sides of the aisle in an effort to protect the thousands of citizens we represent. The Surface Transportation Board’s mission of rubberstamping railroad initiatives is outdated, and their process for reviewing cases is broken. This bill is a significant first step towards restoring a proper balance between the needs of the rail companies and the needs of the affected communities.”

Congressman Manzullo said: “With this legislation, the Surface Transportation Board will only be able to approve a railroad merger when it serves the public interest, not just the interests of a private company. I was looking forward to asking Canadian National about this bill in a public setting, but the company has just backed out of our field hearing next week. In case they change their minds, we’ll leave a seat open for them.”

Congressman Roskam said: “The free flow of goods across this nation is key to our continued economic success, however, we must place equal weight and consideration to the adverse impact increased freight traffic can have on our communities. The recent draft environmental impact study revealed many of those adverse impacts, and this legislation gives such concerns greater weight as the Surface Transportation Board makes its ruling.”

Congresswoman Biggert said: “It’s a matter of simple fairness. A rail company shouldn’t be able to unilaterally move into a community, jeopardize residents’ safety and quality of life, then shoulder taxpayers with the costs mitigating the impact. This isn’t just about one merger, it about protecting the basic rights of every community that contains a railway.”

The TRACS Act, H.R. 6707, is sponsored by Rep. James Oberstar (MN-08), and is originally

cosponsored by Reps. Melissa Bean (IL-08), Judy Biggert (IL-13), Pete Visclosky (IN-01), Bill Foster (IL-14), Don Manzullo (IL-16), Peter Roskam (IL-6), Dave Hobson (OH-07), Richard Neal (MA-02), Mike Thompson (CA-01), Steve Kagen (WI-08), Ron Kind (WI-03), Debbie Wasserman Schultz (FL-20), Kathy Castor (FL-11), Shelly Berkley (NV-01), Darlene Hooley (OR-05), and Bruce Braley (IA-01), Deborah Pryce (OH-15), Wayne Gilchrest (MD-1), Ray LaHood (IL-18), and Bud Cramer (AL-5).